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PETITION OF:

VIOLA COMMUNICATIONS, INC.

Petition for cancellation of certificate  
of service authority and certificate of  
Exchange service authority

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CHIEF CLERK'S OFFICE

**Docket No.**

04-0052

**PETITION FOR CANCELLATION OF  
CERTIFICATE OF SERVICE AUTHORITY**

NOW COMES Viola Communications, Inc., by its attorney, Gary L. Smith, of Loewenstein, Hagen & Smith, P.C., and hereby moves this Commission for an order canceling its Certificate of Service Authority, and in support thereof states as follows:

1. On July 6, 2000, this commission entered an order in Docket 00-0327, granting a certificate of service authority and a certificate of exchange service authority to Viola Communications, Inc.
2. 220 ILCS 5/508 requires that a public utility providing competitive service must give notice to its subscribers of its intent to abandon service. 8-508 furthermore states that any non-competitive utility must obtain Commission approval before it discontinues providing service.
3. Viola Communications, Inc. has not provided any service under its certificate of service authority or its certificate of exchange service authority.

4. 220 ILCS 5/13-401 states that unless exercised within a period of two years from the issuance thereof, the authority conferred by a certificate of service authority shall be null and void.

5. Viola Communications, Inc. believes that its certificates of service authority have been canceled as a matter of law. However, Viola Communications, Inc. is still listed on the records of the ICC and the Department of Revenue as an existing telecommunications carrier.

6. An order should be entered by the Commerce Commission declaring Viola Communications, Inc.'s certificate of service authority and certificate of exchange service authority as null and void and striking Viola from the list of telecommunications carriers in good standing with the Illinois Commerce Commission.

WHEREFORE, Viola Communications, Inc. respectfully prays that the Commission enter an order, without hearing, declaring that its certificate of service authority and certificate of exchange service authority are null and void and for such other and further relief as the Commission deems just.

Respectfully submitted,

VIOLA COMMUNICATIONS, INC.

By: 

Gary L. Smith

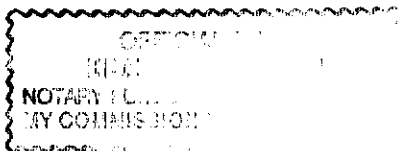
Gary L. Smith-#2644029  
Loewenstein, Hagen & Smith, P.C.  
1204 South Fourth Street  
Springfield, IL 62703  
Phone: 217/789-0500  
Fax: 217/522-6047

STATE OF ILLINOIS                    )  
  )       SS  
COUNTY OF   Mercer            )

I, Carol Peterson, being first duly sworn on oath, depose and state that I am the Manager of Viola Communications, Inc.; I have read the foregoing Motion, and the facts contained therein are true and correct to the best of my information and belief.

Carol Peterson  
Carol Peterson

Subscribed and sworn to before me, a notary public, this 16 day of January, 2004.



Kimberly Goben  
Notary Public

